

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

KYLE F. WALDINGER (ILBN 6238304)  
Assistant United States Attorney

450 Golden Gate Avenue, 11<sup>th</sup> Floor  
San Francisco, California 94102  
Telephone: (415) 436-6830  
Facsimile: (415) 436-7234  
E-mail: kyle.waldinger@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR 07-0337 EMC

Plaintiff, )

v. )

JACQUELINE FROEHLICH- )  
L'HEUREAUX, )

Defendant. )

PARTIES' JOINT REQUEST TO CONTINUE  
STATUS HEARING AND SET SENTENCING  
DATE AND [PROPOSED] ORDER

It is hereby stipulated by and between counsel for the United States, Assistant U.S. Attorney Kyle F. Waldinger, and counsel for defendant Jacqueline Froehlich-L'Heureaux, Leland B. Altschuler, that, subject to the Court's approval, the hearing presently set for June 26, 2013 be continued and set for a sentencing hearing on October 30, 2013 at 2:30 p.m. The United States has learned from the Court's publicly posted availability information that the Court is available on that date.

The defendant Jacqueline Froehlich-L'Heureaux pled guilty pursuant to a plea agreement on June 4, 2007, to one count of conspiracy to gain unauthorized access to a protected computer, exceed authorized access to a protected computer, and traffic in a password allowing unauthorized access to a protected computer, in violation of 18 U.S.C. § 371. The case was

JOINT REQ. & [PROPOSED] ORDER  
CR 07-0337 EMC

referred to the Probation Office for a presentence report. The plea agreement also includes standard terms of cooperation.

The parties jointly request that the hearing on June 26, 2013 be continued for a sentencing hearing on October 30, 2013 at 2:30 p.m. As the Court is aware, Ms. Froehlich-L'Heureaux testified in April 2013 in the trial of the defendant David Nosal in case number CR 08-0237 EMC. The defendant Nosal's sentencing hearing is scheduled for September 4, 2013. The parties jointly request that Ms. Froehlich-L'Heureaux's sentencing date be scheduled for October 30, 2013 in order to provide the government sufficient time to fully assess the value of her cooperation with the government following the Nosal sentencing. In addition, it is possible that Ms. Froehlich-L'Heureaux may provide additional cooperation with respect to the Nosal sentencing.

For all of these reasons, the parties jointly request that this Court vacate the hearing presently set for June 26, 2013 and set a sentencing hearing for October 30, 2013 at 2:30 p.m. In addition, the parties jointly request that the due dates for the presentence report be calculated using the new sentencing date.

SO STIPULATED.

Dated: May 29, 2013

MELINDA HAAG  
United States Attorney

/s/  
\_\_\_\_\_  
KYLE F. WALDINGER  
Assistant United States Attorney

SO STIPULATED.

Dated: May 29, 2013

/s/  
\_\_\_\_\_  
LELAND B. ALTSCHULER  
Attorney for defendant Froehlich-L'Heureaux

**[PROPOSED] ORDER**

GOOD CAUSE APPEARING,

IT IS ORDERED that the hearing presently set for June 26, 2013 is vacated. The parties

are ordered to appear for a sentencing hearing on October 30, 2013 at 2:30 p.m. The final presentence report should be disclosed two weeks prior to the sentencing date.

Dated this 5th day of June, 2013.

HONORABLE  
UNITED STATES

